To Bud Fensterwald from Harold Weisberg re
JFK autopsy records

3/23/88

Tom Kelley's 2/13/68 memo to files is new to me, at least in this form. My recollection of some of this is not now dependable, particularly the dates. You may remember that I then had no counsel and was trying to get some of that stuff on my own and in fact did get the Memorandum of Transfer, but you held a press conference at the University Club for Cyril and to pretend that it was available because of your committee's and his work. Cyril, unfortunately, focused on the missing brain hemisphere and that diverted everyone away from the rest. I was pre-empted and wasn't able to do anything. Except that I did use it and much of the content of what you just sent in Post Mortem.

Remember I had to be my own lawyer in my efforts to get access to the film of the clothing? While I made a mess of it I did learn and get to see much that was important. And, oddly, that is some of what wasn't stolen by others even after I published it.

In this period I'd negotiated successfully with the Secret Service for them to disclose records in return for my promise not to file a FOIA case against them. One of the memos you sent is part of what I finally got, as I'm sure Jim may recall and be able to locate, is part of the Archives and DJ aborting this arrangement. One means was to transfer out of Secret Service possession what it was going to let me have. The memo I refer to is from Kelley to Rhoads.

All the things you sent are remarkable for their vagueness and evasiveness and incompleteness. On the Fox memos, for example, I got more information in the form of a letter or letters to me. This does not give a single number for the film or the prints. I got both for each kind. So, these are cover-the-ass records.

Some of the indefinitenss is deliberate and can't be excused. For example, in the 2/13/69 Kelley memo, page 1, graf 3, "at some unspecified date" that stuff was found in an Archives bin. There are receipts that establish the date and, easier with Marion Johnson not present, they are ignored. They deliberately created a paper chain

to make it appear that what the government did that was wrong was done by the Kennedys. In this regard, there is no mention of the fact that Evelyn Lincoln's work at the Archives was for the Archives, not the family. She was there in connection with the Kennedy Library, which is Archives.

The Kennedy gift, which follows on this page, was actuallu a contrivance of the Department of Justice and Burke Marshall wasn't even in on it until time came for signatures. Until the final copy, and I have several earlier versions, his name did not appear and there was a blank for a name.

The stuff about writers like me and Lane began with Marion Johnson from the records on me I got from the Archives, with some withheld still. I don't recall that Lane was in his memo, it may have been, but Johnson was worried about where so clearly I was heading. Jim may have copies of those records, I don't now recall.

Where they refer to what was not in the possession of the Archives, I think they mean in 5W3, not in any adjunct, like the Kennedy Library or on deposit elsewhere for it.

I don't recall any earlier controversy about the original of the original autopsy proctocol and I am inclined to believe that a xerox of the first, ribbon copy, was sent to the Commission.

This all refers to Burkley turning the stuff over. It was not Burkley personally. The stuff was sent to him, receipts were in his name, but he did not have possession. The Secret Service did. There came a time, toward the last part of 1966, when at least some was in the possession of or under the control of David Acheson, the an assistant Treasury secretary. He had at least the x-rays in a file cabinet in his office and offerd to show them to Dick Whalen. Dick delayed and by the time he returned they'd been moved and Acheson no longer had them.

Maybe Kelley is right in suggesting that the reason Rhoads did not want to get in touch with Evelyn Lincoln is because they'd had some difficulty, but it is also possible that Rhoads did not want to blow the Archives misuse of the Kennedy family as

a cover for what it and other agencies had done and were doing.

With regard to the transfer of this stuff to RFK' secretary, again I know of no reason to believe that she had it in her office. She may technically have had custody but not possession. I know, for example, that the FBI had the clothing, although there is no written record of this. If the clothing and this other stuff was together, then Marion Johnson knows very well when the archives got it and how because he told me himself, when he was very embarrassed, that he had supervised the physical transfer that included a foof locker from the FBI to the Archives. This was in connection with their inability to comply with Judge Gesell's order, that they photograph the knot of the tie for me. The tie, when they went to make the picture, was unknotted. (It was knotted again for HSCA, magic being what it is.)

The FBI had undone the knot earlier, to take the picture it misl used in its Exhibit 60 in CD 1. I use this in Post Mortem. It then put the knot back together again for use by the Commission, and it was an intact knot when used in Commission testimony. Then, magid of magic, it was unknotted when the Archives went to comply with Gesell's order. I go into the purpose served in Post Mortem.

What this stuff really means is that those agencies which had reason to cover things up, and did in their investigation, continue their covering up in their cover-the=ass records, including by trying to make it look like the Kennedy family was hiding what was hidden. And there are those, including some who did not like the Kennedys, who took it, hook, line and sinker.

Whatever may have happened to the missing hemisphere of the brain, I doubt it held any significant evidence because the X-rays, which Cyril and others examined, do not reflect the presence of any lead or metal or if I remember correctly, any trail left by any missle.

If Jim does not have copies of what I got from NARS, mentioned above, you are welcome to copies if you want them, only I can't search for and make the copies.

I wish it had been possible to pursue my quest for these materials then because there is more and what I got is provocative enough, Thanks. If we have further discussion, this will be under Autopsy in my subject files.